

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA
OFFICE OF THE CLERK

RICHARD H. WEARE

DISTRICT COURT EXECUTIVE / CLERK OF COURT
SANDRA DAY O'CONNOR U.S. COURTHOUSE
SUITE 130, 401 W. WASHINGTON ST., SPC 1
PHOENIX, ARIZONA 85003-2118

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TUCSON, ARIZONA 85701-5010

JAMES BONINI, Clerk
CINCINNATI, OHIO

November 22, 2006

Clerk of Court
Potter Stewart U.S. Courthouse, Room 103
100 East Fifth Street
Cincinnati, Ohio 45202

RE: USA v. John Alphonso Smith
Your case number: 1:02CR00150
Arizona case number: 06-03331M-001

Dear Clerk of the Court:

The above charge originated in your district. The defendant has appeared before Magistrate Judge Lawrence O. Anderson in the District of Arizona. The following action has been taken.

U S MARSHAL HAS BEEN ORDERED TO REMOVE THE DEFENDANT TO THE CHARGING DISTRICT.

THE DEFENDANT HAS BEEN ORDERED TO APPEAR IN THE CHARGING DISTRICT ON:

Enclosed are the certified copies of the original documents in our file. Please certify receipt of the documents on the enclosed duplicate of this letter and return it to our office.

Sincerely,

RICHARD H. WEARE,
CLERK OF COURT/DISTRICT COURT EXECUTIVE

By: s/Christine Boucher
Christine Boucher
Deputy Clerk

Enclosures

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA - Phoenix

MAGISTRATE JUDGE'S MINUTES

DATE: 11/16/2006 CASE NUMBER: 06-03331M-001USA vs. John Alphonso SmithU.S. MAGISTRATE JUDGE: LAWRENCE O. ANDERSON #: 70BIA.U.S. Attorney Darcy A. Cerow INTERPRETER
LANGUAGE _____Attorney for Defendant Douglas Passon (AFPD)

MATERIAL WITNESS(es): _____

MATERIAL WITNESS(es) state true name(s) to be: _____

Attorney for Material Witness(es): _____

DEFENDANT: PRESENT NOT PRESENT CUSTODYDOA 11/16/2006 Financial Afdvt taken
 Rule 5(c)(3) Initial Appearance Defendant Sworn Defendant states true name to be _____. Further proceedings ORDERED in Defendant's true name. Appointment of counsel hearing held Financial Afdvt sealed

DETENTION HEARING:

 Reserved for prosecuting district

Set for:

Before:

 Defendant ordered temporarily detained in the custody of the United States Marshal Defendant ordered released _____ Defendant continued detained pending trial

IDENTITY HEARING:

 Held Con't Submitted Reset Waived

Set for:

Before:

 Warrant of removal issued.

PRELIMINARY HEARING:

 Reserved for prosecuting district

Set for:

Before:

 Probable cause found Dismissed Held to answer before District Court

STATUS HEARING: re: _____

 Held Con't Reset

Set for:

Before:

Other: _____

I/A 5 mins 11-22-06
I hereby attest and certify on _____
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my custody.Recorded by Courtsmart
BY: Sherise M. Hargrove
Deputy ClerkCLERK, U.S. DISTRICT COURT
DISTRICT OF ARIZONABy BSM Deputy

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF

UNITED STATES OF AMERICA

v.

FILED	LOGGED
RECEIVED	COPY
NOV 16 2006	
CLERK U S DISTRICT COURT	
DISTRICT OF ARIZONA	
DEPUTY	

WAIVER OF RULE 5(c)(3) HEARINGS
(formerly Rule 40)

John Alphonso Smith

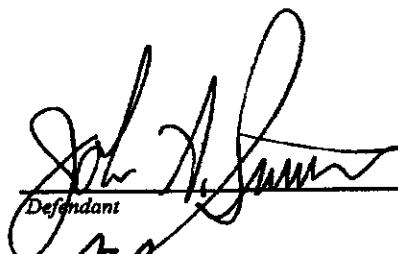
CASE NUMBER: 06-3331 M

I, John Alphonso Smith, understand that in the
S. u. Meaw District of Ohio, charges are pending
alleging violation of Supervised Release Violation and that I have been
arrested in this District and taken before a United States Magistrate Judge who informed me of the charge and of my right to:
(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing to determine if I am the person named in the charge, and (4) a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me or a preliminary revocation hearing to determine whether there is probable cause to believe I have violated my terms of supervised release or probation, the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

identity hearing
 preliminary hearing
 identity hearing and have been informed I have no right to a preliminary hearing
 identity hearing but request a preliminary hearing or preliminary revocation hearing be held in the prosecuting district
 I reserve my right to have a detention hearing in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.



Defendant



Defense Counsel

I hereby attest and certify on 11-22-06
that the foregoing document is a full, true and correct
copy of the original on file in my office and in my custody.

CLERK, U.S. DISTRICT COURT
DISTRICT OF ARIZONA

By John Alphonso Smith Deputy

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> LODGED
<input type="checkbox"/> RECEIVED	<input type="checkbox"/> COPY
NOV 16 2006	
CLERK U S DISTRICT COURT	
DISTRICT OF ARIZONA	
BY _____	DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

UNITED STATES OF AMERICA,

Plaintiff,

No. 06-3331 M

ORDER APPOINTING COUNSEL

John Alphonso
Smith

Defendant.

The Defendant has, under oath, sworn or affirmed as to his/her financial inability to employ counsel, for the offense of: S/R VIOLATION

IT IS HEREBY ORDERED appointing the Federal Public Defender by:

United States District Judge

(4) United States Magistrate Judge Lawrence O. Anderson

CASE ASSIGNED TO: Douglas A. Passon

Assistant Federal Public Defender

District of Arizona

850 W. Adams Street, Suite 201

Phoenix, Arizona 85007

Office: (602) 382-2700, Fax: (602) 382-2800

DATED this 16 day of November, 2006.

1st day of November, 2006.

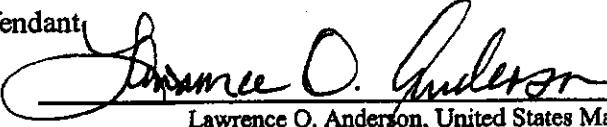
hereby attest and certify on 12/14/2014 that the foregoing document is a full, true and correct copy of the original on file in my office and in my custody.

CLERK, U.S. DISTRICT COURT
DISTRICT OF ARIZONA

Deputy

By

AO 94 (Rev. 8/97) Commitment to Another District

UNITED STATES DISTRICT COURT		RECEIVED U.S. MARSHALS SERVICE District of PHOENIX ARIZONA	
FOR THE		COMMITMENT TO ANOTHER DISTRICT	
UNITED STATES OF AMERICA v.		'06 NOV 17 15:18 DISTRICT	
John Alphonso Smith			
DOCKET NUMBER		DISTRICT OF ARIZONA MAGISTRATE JUDGE CASE NUMBER	
District of Arrest 1:02CR00150	District of Offense Southern District of Ohio	District of Arrest 06-03331M-001	District of Offense District of Arizona
CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN <input type="checkbox"/> Indictment <input type="checkbox"/> Information <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Other (specify) Petition charging a violation of Supervised Release			
DISTRICT OF OFFENSE Southern District of Ohio			
DESCRIPTION OF CHARGES: Violation of Supervised Release			
CURRENT BOND STATUS: <input type="checkbox"/> Bail fixed at _____ and conditions were not met <input type="checkbox"/> Government moved for detention and defendant detained after hearing in District of Arrest <input checked="" type="checkbox"/> Government moved for detention and defendant detained pending detention hearing in District of Offense <input type="checkbox"/> Other (specify) _____			
Representation: <input type="checkbox"/> Retained Own Counsel <input checked="" type="checkbox"/> Federal Defender Organization <input type="checkbox"/> CJA Attorney <input type="checkbox"/> None			
Interpreter Required? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Language: _____			
DISTRICT OF ARIZONA			
TO: THE UNITED STATES MARSHAL You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.			
11-17-06 Date		 Lawrence O. Anderson, United States Magistrate Judge	
RETURN			
This commitment was received and executed as follows:			
DATE COMMITMENT ORDER RECEIVED		PLACE OF COMMITMENT	DATE DEFENDANT COMMITTED
DATE	UNITED STATES MARSHAL	(BY) DEPUTY MARSHAL	

CLOSED

**U.S. District Court
DISTRICT OF ARIZONA (Phoenix Division)
CRIMINAL DOCKET FOR CASE #: 2:06-mj-03331-LOA-ALL
Internal Use Only**

Case title: USA v. Smith

Date Filed: 11/16/2006

Other court case number: 1:02CR00150 Southern District of Ohio

Assigned to: Magistrate Judge
Lawrence O Anderson

Defendant

John Alphonso Smith (1)
TERMINATED: 11/17/2006

represented by **Douglas Andrew Passon**
Federal Public Defenders Office
850 W Adams St
Ste 201
Phoenix, AZ 85007-2730
602-382-2700
Fax: 602-382-2800
Email: doug_passon@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Disposition

Terminated Counts

None

Highest Offense Level (Terminated)

None

Disposition

Complaints

None

Plaintiff**USA**

represented by **Darcy A Cerow**
 US Attorney's Office
 40 N Central Ave
 Ste 1200
 Phoenix, AZ 85004-4408
 602-514-7500
 Fax: 602-364-7929
 Email: Darcy.Cerow@USDOJ.GOV
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/16/2006	●1	Rule 5(c)(3) Documents Received as to John Alphonso Smith (PKD,) (Entered: 11/16/2006)
11/16/2006	●	Arrest of John Alphonso Smith (PKD,) (Entered: 11/16/2006)
11/16/2006	●2	Minute Entry for proceedings held before Judge Lawrence O Anderson :Initial Appearance in Rule 5(c)(3) Proceedings as to John Alphonso Smith held on 11/16/2006. Appointment of Counsel Hearing held on 11/16/06. Appearance entered by Douglas Andrew Passon for John Alphonso Smith on behalf of defendant. Appointment type: ACPD. FINANCIAL AFFIDAVIT TAKEN. Identity Hearing waived, warrant of removal to be issued. Detention Hearing and Preliminary Hearing reserved for prosecuting district. (Court Reporter Courtsmart). (JIR) (Entered: 11/17/2006)
11/16/2006	●3	WAIVER of Rule 5(c)(3) Hearings by John Alphonso Smith. Defendant waives his right to an Identity Hearing but requests a Detention Hearing and Preliminary Hearing be held in the prosecuting district. (CLB) (Entered: 11/17/2006)
11/16/2006	●4	ORDER APPOINTING COUNSEL as to John Alphonso Smith. Douglas Andrew Passon for John Alphonso Smith appointed. Signed by Judge Lawrence O Anderson on 11/16/06. (CLB) (Entered: 11/17/2006)
11/17/2006	●5	COMMITMENT TO ANOTHER DISTRICT as to John Alphonso Smith. Defendant committed to District of Southern District of Ohio., John Alphonso Smith terminated. Signed by Judge Lawrence O Anderson on 11/17/06. (CLB) (Entered: 11/22/2006)

I hereby attest and certify on 11/22/06
 that the foregoing document is a full, true and correct
 copy of the original on file in my office and in my custody.

CLERK, U.S. DISTRICT COURT
 DISTRICT OF ARIZONA

By

CBM
 Deputy